

AMENDMENTS

Please replace the Figure sheet with the enclosed replacement sheet.

REMARKS

A response to the Final Office Action was filed within two months of having received the Final Office Action. However, no Advisory Action was received. This has necessitated an expensive petition for three months of extension. The USPTO is requested to credit this cost to Deposit Account 19-2179.

The amendments to claim 1 are not believed to narrow the claim, but instead to better highlight the distinctions already in the claim. However, given the lack of an Advisory Action, the Examiner is requested to make any new Office Action, other than an allowance, non-final.

The specification was objected to for citation by serial number to a patent reference. The specification has been amended to provide the corresponding patent number.

The Examiner objected to the drawings for a misspelling. A replacement sheet of drawings is filed herewith. The spelling of WIRELESSLY in box 60 has been corrected.

In the Office Action, the Examiner rejected claims 1, 3-6 and 10 pursuant to 35 U.S.C. § 103(a) as being unpatentable over Kitney et al. (U.S. Patent No. 5,081,386) in view of Osadchy et al. (U.S. Patent No. 6,266,551) or Smith (U.S. Patent No. 6,645,149). Applicants respectfully request reconsideration of the rejections of claims 1, 3-6 and 10, including independent claim 1.

Claim 1 recites a system for identifying unauthorized use of a transducer which is detachably connectable with a particular imaging device. An electronic identifier is associated with the transducer wherein the electronic identifier comprises an identifier distinguishing the transducer from other transducers of a same type and manufacturer. A processor is operable to generate a security signal in response to the electronic identifier, wherein the security signal corresponds to authorization of the identifier distinguishing the transducer from other transducers, the authorization being for any and all uses with the particular imaging device and the authorization being a function of the identifier distinguishing the transducer from other transducers.

The cited references do not disclose these limitations. The Examiner relies on the re-use prevention in Kitney et al. A serial number is another code to prevent re-use by logging a previous use (col. 14, lines 10-11). However, the prevention of re-use is not non-authorization of the identifier for use with a particular imaging device. The re-use deals with no or yes to previous use, not authorization or not of the identifier for any use with a particular imaging device.

Osadchy, et al. teach an expiration code, calibration code, and time and duration of use (col. 17, line 33 – col. 18, line 62). Operation is prevented when the calibration is wrong (col. 17, lines 40-45), when an expiration has been reached (col. 17, lines 61-63), when a number of uses reaches a limit (col. 18, lines 37-45), or when a duration of use is reached (col. 18, lines 50-55). Like Kitney et al., these preventions are based on previous use regardless of the imaging device with which the transducer was used. None of these preventions are for authorization or not of the identifier for any and all uses with a particular imaging device.

Kitney, et al. and Osadchy, et al. fail to disclose the same limitation. If the teachings are combined, there is no disclosure of authorization for any use with a particular imaging device.

The Examiner notes that “further use” as an initial use on a “further” machine would provoke a security decision to disallow use on the “further” machine. However, it is not the identifier distinguishing the transducer from others of a same type and manufacturer which is the identifier in this case. The security in the “further” machine is based on previous usage of the transducer, not an identifier of the transducer. The calibration codes do not provide such an identifier. Rather than use the single system identifier of Kitney, et al., the count in the transducer of Osadchy, et al. would be used to limit use regardless of system.

A simple example shows this distinction. Limiting based on previous usage allows a thief or inattentive person to take the transducer to another machine and possibly use it. However, where the identifier is for one transducer and is for authorization for any use with a particular imaging device, the transducer could not be used on unauthorized imaging systems regardless of previous use.

Similarly, Smith prevents operation due to duration of use (col. 2, lines 1-5), time after first use (col. 2, lines 11-15), and expiration of shelf life (col. 5, lines 16-22). Variation of imaging parameters based on age, weight, and height from a first patient is also prevented (col. 4, lines 25-33 and col. 5, lines 23-30). These temporal based preventions do not provide authorization or not of the identifier for any use with a particular imaging device.

A further use as an initial use on a further machine, but after expiration of allowed use, prevents any use on the further machine. However, this prevention is not authorization or lack of authorization for any and all uses with a particular imaging device. The particular imaging device does not matter to Smith, Osadchy, or Kitney et al., only the amount of previous usage.

The Examiner cites to the Smith calibration on a given day as the identifier. However, the calibration is not used in Smith to prevent any use, but only to calibrate (col. 6, lines 5-23).

Similarly, the age-height-weight is used to set imaging parameters (col. 4, lines 25-33; and col. 5, lines 23-30). Once used for an age-height-weight, the image parameters to be used with the transducer of Smith are set for that age-height-weight regardless of the imaging device. The age-height-weight allows at least one use on any imaging device, so is not used for authorization or not for any use with a particular imaging device. Attempting use with another patient results in wrong imaging for the patient. Even if initial use on another patient were prohibited, it is because of the age-height-weight, not an identifier for any use with a particular imaging device.

Dependent claims 3-6 and 10 depend from claim 1, so are allowable for the same reasons. Further limitations distinguish from the cited references. For example, an adaptor of claim 10 is not shown in the cited references.

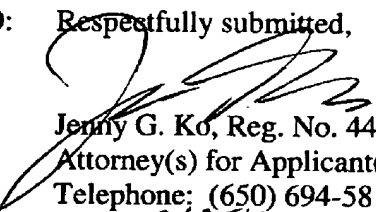
CONCLUSION

Applicants respectfully submit that all of the pending claims are in condition for allowance and seeks early allowance thereof. If for any reason, the Examiner is unable to allow the application but believes that an interview would be helpful to resolve any issues, he is respectfully requested to call the undersigned at (650) 694-5810 or Craig Summerfield at (312) 321-4726.

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Respectfully submitted,


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